

THE HON'BLE SRI JUSTICE P.S.NARAYANA

WRIT PETITION NO.12232 of 2006

DATED: 20.06.2006

Between:

M.Laxmana Rao .. PETITIONER

Versus

The Commissioner, Municipal Corporation

Of Vijayawada, Vijayawada.

.. RESPONDENT

WRIT PETITION NO.12232 of 2006

ORDER:

Heard both the learned counsel. The matter is coming up for admission today.

The Writ Petition is filed praying for the relief of Writ of Mandamus declaring the action of respondent in not taking any action to remove the buffaloes and dairy business in the residential locality, which is situated in R.S.No.4/5 and 4/8 in demarcation No.1912/59, near Kabela Centre, bearing D.No.3-1/15-6A, Vidhyadharapuram area, Vijayawada, is highly illegal and consequently direct the respondent

and their officials to take action for removal of the buffalos and dairy business in the residential locality which is situated in R.S.No.4/5 and 4/8 in demarcation No.1912/59, near Kabela Centre, bearing D.No.3-1/15-6A, Vidhyadharapuram area, Vijayawada, and pass such other suitable orders.

It is stated by the petitioner that though he made a representation to the respondent to remove the buffalos and dairy business in the residential locality which is situated in R.S.No.4/5 and 4/8 in demarcation No.1912/59, near Kabela Centre, bearing D.No.3-1/15-6A, Vidhyadharapuram area, Vijayawada, the same is not disposed of by the respondent. However, Smt.Jhansi, learned Standing Counsel representing the respondent-Corporation would submit that the real affected party is not made a party in the present Writ Petition.

In the facts and circumstances, this Court is of the considered opinion that the Writ Petition be disposed of with the following direction:

“The respondent herein viz., the Commissioner, Municipal Corporation of Vijayawada, to dispose of the representation dated 10.3.2006 made by the petitioner, after putting on notice to the real affected and aggrieved party and after giving opportunity to the said party, in accordance with law, within a period of two (02) months from the date of receipt of a copy of this order.

Writ Petition is disposed of accordingly. No costs.

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20.06.2006

SSR